



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,606	02/21/2002	Jean Tourrilhes	100111716-1	7283

7590 07/26/2006
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LY, NGHI H

ART UNIT	PAPER NUMBER
----------	--------------

2617

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/079,606

Applicant(s)

TOURRILHES, JEAN

Examiner

Nghi H. Ly

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2617

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 04/26/06 have been fully considered but they are not persuasive.

On page 7 of applicant's remarks, applicant argues that Verkruijssen does not disclose a first communication interface of a first device nor a second communication interface inside the first device to receive the trigger signal and there is no discussion of interfaces of the devices in Figure 2 and no discussion of whether they would be within a device or not.

In response, Verkruijssen teaches communication between devices (see fig.2, see wireless or wire line links between devices). In order to communicate with each other, the system of Verkruijssen must include communication interfaces. If not, as alleged by the applicant, the devices in fig.2 of Verkruijssen will not be able to communicate with each other or there is no communications between devices in fig.2 of Verkruijssen. In addition, applicant's claims merely recite "*communication interface*", but fail to further define what kind of interface is. Therefore, Verkruijssen does indeed (or inherently) teach applicant's "*communication interface*".

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 and 8-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Verkuijssen (WO99/46944).

Regarding claims 1 and 8, Verkuijssen teaches a system for changing operation mode of a first communication interface of a first device in communication with a second device (see Abstract, fig.2, connection between devices), comprising: a communication activator external to the first device (see fig.2, Verkuijssen's "terminal 10" reads on Applicant's "third device" and it inherently includes "software", and Verkuijssen's "exchange 30", "terminal 20" or "terminal 22" reads on Applicant's "first device". In addition, Applicant's specification page 10, lines 14-16 states that *"the activator 25 can also be a piece of software in a device (e.g., PDA)"*. In addition, Applicant's specification page 7, line 22 to page 8, line 6 states that *"devices 20 and 28-29 can be any kind of portable or mobile electronic device. In one embodiment, each of the devices 20 and 28-29 is a pager or a watch. In another embodiment, each of the devices 20 and 28-29 is a cellular phone or satellite phone. In a further embodiment, each of the devices 20 and 28-29 is a palm-top computer, a personal digital assistant, a personal organizer, or a mobile computer. In a still further embodiment, each of the devices 20 and 28-29 can be a computer system. Alternatively, each of the devices 20 and 28-29 can be any kind of information appliance, mobile computer system, or any kind of small portable handheld electronic device or appliance")* to send a trigger signal (see Abstract, fig.2 and page 4, lines 8-15, see *"transmit a signal"* and it reads on applicant's *"a trigger signal"*) when an external third device (see fig.2, Verkuijssen's "terminal 10" reads on Applicant's "third device") wants to communicate with the first device (see fig.2, Verkuijssen's "exchange 30", "terminal 20" or "terminal 22" reads on Applicant's "first device") via the first interface, a second communication interface inside the first device to receive the trigger signal (see fig.2, see wireless or wire line links between devices, also see Abstract, page 4, lines 8-15 and fig.2, in order to receive and transmit signals, or to

communicate with each other, the system of Verkuijssen must include communication interfaces. If not, the devices in fig.2 of Verkuijssen will not be able to communicate with each other or there is no communications between devices in fig.2 of Verkuijssen. In addition, applicant's claims merely recite "*communication interface*", but fail to further define what kind of interface is. Therefore, Verkuijssen does indeed (or inherently) teach applicant's "*communication interface*", an operation mode control module coupled to the first and second interfaces to cause the first interface to change its operation mode in order to communicate with the third device when the second interface receives the trigger signal (see fig.2, Verkuijssen's "exchange 30", "terminal 20" or "terminal 22" reads on Applicant's "first device", also see Abstract, page 4, lines 8-15 and fig.2, in order to receive and transmit signals, or to communicate with each other, the system of Verkuijssen must include communication interfaces. If not, the devices in fig.2 of Verkuijssen will not be able to communicate with each other or there is no communications between devices in fig.2 of Verkuijssen. In addition, applicant's claims merely recite "*communication interface*", but fail to further define what kind of interface is. Therefore, Verkuijssen does indeed (or inherently) teach applicant's "*communication interface*").

Regarding claims 2 and 9, Verkuijssen teaches the communication activator is inside the third device that also includes a first communication interface and a second communication interface (see fig.2, Verkuijssen's "terminal 10" reads on Applicant's "third device". In order to receive and transmit signals, the teaching of Verkuijssen inherently teaches Applicant's "first communication interface", "second communication interface" and it inherently includes "software". In addition, Applicant's specification page 10, lines 14-16 states that "*the activator 25 can also be a piece of software in a device (e.g., PDA)*").

Regarding claims 3 and 10, Verkuijssen teaches the communication activator is located external to the third device (see Abstract, fig.2 and page 4, lines 8-15, the teaching of Verkuijssen inherently teaches "a communication activator". In addition, Applicant's specification page 10, lines 14-16 states that "*the activator 25 can also be a piece of software in a device (e.g., PDA)*".

Regarding claims 4 and 11, Verkuijssen further teaches the operation mode of the first interface of the first device is changed to (1) suspend its current exclusive communication with the second device (see page 3, lines 17-18) and (2) include the third device in its communication such that the first, second, and third devices are in communication together (see fig.2, wired and wireless connections between "exchange 30", "terminal 10", "terminal 20" or "terminal 22").

Regarding claims 6 and 13, Verkuijssen further teaches the first and second communication interfaces employ different wireless communication technologies (see fig.2, wired and/or wireless connections).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verkuijssen (WO99/46944).

Regarding claims 7 and 14, Verkuijssen teaches each of the first and second communication interfaces employs a wireless communication technology (see fig.2, see wireless connection between devices).

Verkuijssen does not specifically disclose a group comprising infrared communication technology, laser communication technology. However, the Examiner takes Office notice such features as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Verkuijssen in order to provide a method as claimed, for employing a wireless communication technology.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

Art Unit: 2617

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nghi H. Ly



CHARLES APPIAH
PRIMARY EXAMINER